

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

OLLNOVA TECHNOLOGIES LTD.,

Plaintiff,

v.

ECOBEE TECHNOLOGIES ULC d/b/a
ECOBEE,

Defendant.

Case No. 2:22-cv-00072-JRG

**PLAINTIFF’S NOTICE REGARDING THE COURT’S ORDER
AWARDING FEES AND EXPENSES TO PLAINTIFF**

Plaintiff Ollnova Technologies Limited (“Ollnova”) hereby files this Notice Regarding the Court’s Order Awarding Fees and Expenses to Plaintiff (the “Notice”) and respectfully recites as follows:

On October 3, 2023, the Court ordered that Defendant ecobee Technologies ULC d/b/a ecobee (“ecobee”) “compensate and reimburse” Ollnova for “the time, effort, and expenses dedicated specifically to the invalidity challenges to the ’887 and ’371 Patents that the Defendants” dropped mid-trial. Trial Tr. Vol. 3 at 566:10 – 567:2. To that end, the Court instructed Ollnova to “prepare and file a declaration a declaration setting forth the time, the hourly rates, and any out-of-pocket expenses . . . expended since September the 1st in preparing to defend against the invalidity challenges that [were] . . . dropped by the Defendant.” *Id.* In accordance with the Court’s instructions, attached to this Notice is the Declaration of Drew B. Hollander in Response to the Court’s Order Awarding Fees and Expenses to Plaintiff (the “Declaration”), which identifies the requisite information for reimbursement from ecobee.

As supported by the attached Declaration, Ollnova respectfully provides notice that it expended \$34,590.00 in fees and expenses from September 1, 2023 through October 1, 2023¹ in preparing for ecobee's invalidity challenges to the '887 and '371 Patents that were dropped mid-trial. Ollnova provides further notice that counsel for Ollnova has conferred with counsel for ecobee, and counsel for ecobee has indicated that it does not object to reimbursement of the fees and expenses identified in this Notice and the attached Declaration.

Dated: October 18, 2023

Respectfully submitted,

By: /s/ Brett E. Cooper
Brett E. Cooper (NY SBN 4011011)
bcooper@bc-lawgroup.com
Seth Hasenour (TX SBN 24059910)
shasenour@bc-lawgroup.com
Jonathan Yim (NY SBN 5324967)
jyim@bc-lawgroup.com
Drew B. Hollander (NY SBN 5378096)
dhollander@bc-lawgroup.com

BC LAW GROUP, P.C.
200 Madison Avenue, 24th Floor
New York, NY 10016
Tel.: (212) 951-0100
Fax: (646) 293-2201

***Attorneys for Plaintiff Ollnova Technologies
Limited***

¹ ecobee notified Ollnova of its intention to drop its invalidity defenses as to the '887 and '371 Patent at 6:30pm CT on October 2, 2023. Ollnova did not prepare for ecobee's '887 and '371 Patent invalidity defenses during trial on October 2, 2023 or after receipt of ecobee's notice.

CERTIFICATE OF SERVICE

I hereby certify that the counsel of record are being served on October 18, 2023 with a copy of this document via electronic service.

/s/ Brett E. Cooper
Brett E. Cooper

CERTIFICATE OF CONFERENCE

Counsel for Ollnova and counsel for ecobee have met and conferred regarding the fees and expenses reflected in this Notice and the attached Declaration. ecobee does not dispute the amount of reimbursement sought in this Notice and the attached Declaration.

/s/ Brett E. Cooper
Brett E. Cooper